

responds to new arguments regarding the rejections of the claims. Since the claims are not being amended, it is not believed that the Response will require a new search nor will raise new issues. In addition, Applicants' arguments show that the claims are clearly patentable over the art of record and so the issues for Appeal have been reduced. Accordingly, please consider the following remarks.

REMARKS

A. 35 U.S.C. § 103

1. Claims 1-14 and 43

Claims 1-14 and 43 were rejected under 35 U.S.C. §103 as being obvious in view of DiRienzo et al., Montagna et al. and Devine et al. Applicants traverse this rejection for several reasons. Claim 1 recites "querying the client computer to determine whether a spreadsheet appropriate for the type of insurance claim needs to be downloaded to the client computer, the spreadsheet receives the line item data." The Office Action has relied on the following passage as disclosing such "querying."

The preferred embodiments according to the present invention will now be described with reference to FIGS. 3 and 4. In particular, as shown in FIG. 3, the overall system according to the present invention includes the computer components 200 located in the health care provider's office and the computer components 300 located on the premises of the insurance company. Infrastructure 400, which advantageously may be an existing on-line service company, is preferably used in the exemplary embodiment of the present invention to facilitate communication between the components 200 in the service provider's office and the components 300 at the insurance company. Preferably, components 500, which are located at a value-added service company, permit services ordered by the service provider, patient, or insurance company to be performed. It should be noted that the components 500 may duplicate a subset of the components 300 found at the insurance company and, for that reason, description of the

components 300 alone will be provided below.

It should also be mentioned that the description which follows describes the invention as it is used in connection with dental insurance forms. However, the present invention is not limited to systems for the processing of dental insurance claims. Rather, the present invention encompasses the preparation, transmission and processing of data packages including a plurality of data fields wherein at least one of the data fields is a digital attachment, e.g., a digital image. For example, casualty insurance claims with supporting documentation, i.e., pictures taken with a digital camera, are within the scope of the present invention.

As shown in FIG. 3, the components 200 include a personal computer 210 including a screen 212, a keyboard 214 and a modem 216, connected to a scanner 220, a printer 230 and an archiving device 240, e.g., a large memory for storage of digital information. Device 240 advantageously may be a writeable compact disc read only memory (CD-ROM), i.e., a so-called write once-read many (WORM) device, a hard disk drive, a tape back up device or a removable hard disk device. It should be recognized that the computer 210 advantageously can be a computer system including a central processing unit, a graphic display processor, the graphic display device 212, and several memories including both solid state memories and a hard disk drive. It should also be noted that the archive device 240 and one of the memories associated with computer 210 may be the same memory device.

Components 300 located at the insurance company include the previously described mainframe or legacy computer 350 and associated terminals 351, 352. In addition, a buffer computer 310, which may be a network server, includes a modem 316 and is connected to a printer 330 and a storage device 340. The printer 320 may provide copies of documents directly to the mailroom 320. Preferably, the computer 310 is connected to personal computers or work station terminals 311, 312 via a local area network (LAN) 313. The buffer computer 310 and the mainframe computer 350 are electronically connected to one another. The details of such a connection are well known to one of ordinary skill in the art and will not be described in greater detail.

Before presenting a detailed description of preferred

embodiments according to the present invention, a brief overview of the operating method steps associated with formation, transmission and processing of the PAC Application will now be presented. In an exemplary and non-limiting case, the essential steps of the operating method include a first subroutine for completing and transmitting needed information to a designated insurance company. This (Col. 11, l. 30 – Col. 12, l. 30).

Nowhere does the above passage disclose or suggest querying a client computer to determine whether a spreadsheet appropriate for a type of insurance claim needs to be downloaded. Since neither Montagna et al. nor Devine et al. suggests altering DiRienzo et al. to perform the recited querying, the rejection is improper and should be withdrawn.

The rejection is improper for the additional reason that DiRienzo et al., Montagna et al. and Devine et al. do not suggest altering DiRienzo et al. to present a “client computer with an option to enter line item data regarding the claim through a web-based process or through a spreadsheet.” The Office Action has conceded that both DiRienzo et al. and Montagna et al. fail to disclose presenting a client computer such an option. The Office Action has relied on the following passage of Devine et al. as disclosing the recited presenting of a client computer with an option:

FIG. 9(a) illustrates an exemplar dialog box 295 provided on the report requester web page that is presented to the user after the logon and authentication process. From this dialog, the user is enabled to edit an existing report maintained in the report manager inventory, by selecting "edit" button 350, generate a new report by selecting "new" button 353, copy an existing report by selecting button 354, or delete an existing report by selecting button 355. When creating a new report or editing an existing report, the user may enter the desired reporting options including: 1) the report product, as indicated by menu 358, and which includes toll-free, MCI Vision, and MCI Vnet options; 2) the report category, as indicated by menu 359, and which includes options for: analyzing traffic, call center, call detail, checking calling frequencies, financial, marketing, monitoring usage, and telecommunications

categories for toll-free, Vnet and Vision customers; 3) the report type, as indicated by menu 360, and which includes priced call detail data or traffic data options; and 4) a report direction, as indicated by selection areas 363, and which includes inbound, outbound, or both directions. Referring to the flow chart of FIG. 7(b), user selection of the report product, report category, report type, and report direction, is indicated at step 620. Additionally, at step 625, the user may select the report format associated with a reporting category. For example, in the screen display of FIG. 9(a), associated with the analyze traffic report category, the report format options indicated in selection field 365 include the following: area code summary, country code summary, state summary, range summary, city summary, (Col. 16, ll. 39-67)

The above passage is silent as to providing an option to the user to enter line item data regarding the claim either through a web-based process or through a spreadsheet. The Office Action asserts that Devine et al. discloses the spreadsheet option in the passage below:

FIG. 4 illustrates an example client GUI presented to the client/customer as a browser web page 80 providing, for example, a suite 70 of network management reporting applications including: MCI Traffic Monitor 72; an alarm monitor 73; a Network Manager 74 and Intelligent Routing 75. Access to network functionality is also provided through Report Requester 76, which provides a variety of detailed reports for the client/customer and a Message Center 77 for providing enhancements and functionality to traditional e-mail communications.

As shown in FIGS. 3 and 4, the browser resident GUI of the present invention implements a single object, COBackPlane which keeps track of all the client applications, and which has capabilities to start, stop, and provide references to any one of the client applications.

The backplane 12 and the client applications use a browser 14 such as the Microsoft Explorer versions 4.0.1 or higher for an access and distribution mechanism. Although the backplane is initiated with a browser 14, the client applications are generally isolated from the browser in that they typically present their user interfaces in a separate frame, rather than sitting inside a Web page.

The backplane architecture is implemented with several primary classes. These classes include COBackPlane, COApp,

COAppImpl, COParm. and COAppFrame classes. COBackPlane 12 is an application backplane which launches the applications 54a, 54b, typically implemented as COApp. COBackPlane 12 is generally implemented as a Java applet and is launched by the Web browser 14. This backplane applet is responsible for launching and closing the COApps. (Col. 5, ll. 22-52).

The above passage refers to browsers and so it is debatable whether they regard spreadsheets. It is noted that the passage refers to reports (Col. 5, ll. 28-29). Assuming for arguments sake the recited reports can be considered to be spreadsheets, those reports regard reports on network management and not a spreadsheet that is "appropriate for the type of insurance claim" as recited in claim 1. There is no suggestion on altering the reports to regard an insurance claim. Furthermore, there is no suggestion to providing an option to the user to enter line item data regarding the claim either through a web-based process or through a spreadsheet.

The Office Action also relies on a passage of Devine et al. for disclosing a web-based process option. The passage is given below:

The use of a set of common objects for implementing the various functions provided by the system of the present invention, and particularly the use of browser based objects to launch applications and pass data therebetween is more fully described in the above-referenced, copending application GRAPHICAL USER INTERFACE FOR WEB ENABLED APPLICATIONS.

As shown in FIG. 2, the aforesaid objects will communicate the data by establishing a secure TCP messaging session with one of the DMZ networkMCI Interact Web servers 24 via an Internet secure communications path 22 established, preferably, with a secure sockets SSL version of HTTPS. The DMZ networkMCI Interact Web servers 24 function to decrypt the client message, preferably via the SSL implementation, and unwrap the session key and verify the users session. After establishing that the request has come from a valid user and mapping the request to its associated session, the DMZ Web servers 24 will re-encrypt the request using symmetric encryption and forward it over a second socket connection 23 to the dispatch server 26 inside the enterprise

Intranet.

As described in greater detail in co-pending U.S. patent application Ser. No. 09/159,514, entitled SECURE CUSTOMER INTERFACE FOR WEB-BASED DATA MANAGEMENT, the contents and disclosure of which is incorporated by reference as if fully set forth herein, a networkMCI Interact session is designated by a logon, successful authentication, followed by use of server resources, and logoff. However, the world-wide web communications protocol uses HTTP, a stateless protocol, each HTTP request and reply is a separate TCP/IP connection, completely independent of all previous or future connections between the same server and client. The nMCI Interact system is implemented with a secure version of HTTP such as S-HTTP or HTTPS, and preferably utilizes the SSL implementation of HTTPS. The preferred embodiment uses SSL which provides a cipher spec message which provides server authentication during a session. The preferred embodiment further associates a given HTTPS request with a logical session which is initiated and tracked by a "cookie jar server" 28 to generate a "cookie" which is a unique server-generated key that is sent to the client along with each reply to a HTTPS request. The client holds the cookie and returns it to the server as part of each subsequent HTTPS request. As desired, either the Web servers 24, the cookie jar server 28 or the Dispatch Server 26, may maintain the "cookie jar" to map these keys to the associated session. A separate cookie jar server 28, as illustrated in FIG. 2 has been found desirable to minimize the load on the dispatch server 26. This form of session management also functions as an authentication of each HTTPS request, adding an additional level of security to the overall process. (Col. 6, ll. 4-55)

The above passage provides no suggestion to alter Devine et al. or DiRienzo et al. to provide an option to the user to enter line item data regarding an insurance claim either through a web-based process or through a spreadsheet. Without such suggestion, the rejection is improper and should be withdrawn.

The rejection of claim 4 is improper for the additional reason that DiRienzo et al. does not disclose validating a password and a claim number. The passage at column 18, lines 33-67 is silent as to any validation process regarding a password and a claim number. Since Montagna et

al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to validate a password and a claim number, the rejection is improper and should be withdrawn. If this rejection is repeated in the next Office Action, Applicants demand that the Office Action recite the specific passages that disclose the recited validating process. If no such passages are recited, then that should be construed to be evidence that improper hindsight and Applicants' own disclosure are being used to reject the claim.

The rejection of claim 5 is improper for the additional reason that DiRienzo et al. does not disclose issuing a fraud warning. DiRienzo et al.'s passage at column 5, lines 8-51 is silent as to issuing any fraud warning. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to issue a fraud warning, the rejection is improper and should be withdrawn. If this rejection is repeated in the next Office Action, Applicants demand that the Office Action recite the specific passages that disclose the recited issuance of a fraud warning. If no such passages are recited, then that should be construed to be evidence that improper hindsight and Applicants' own disclosure are being used to reject the claim.

The rejections of claims 9 and 10 are improper for the additional reason that DiRienzo et al. does not disclose 1) displaying an item tree of line item data based on a line level when the web-based process option is selected (claim 9) and 2) tunneling through an item tree (claim 10). DiRienzo et al.'s passage at column 16, lines 1-59 is silent as to any display of an item tree or tunneling through an item tree. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to display an item tree or tunnel through an item tree, the rejections are improper and should be withdrawn. If this rejections are repeated in the next Office Action, Applicants demand that the Office Action recite the specific passages that disclose the recited displaying and tunneling processes. If no such passages are recited, then that

should be construed to be evidence that improper hindsight and Applicants' own disclosure are being used to reject the claims.

2. Claims 15-28 and 44

Claims 15-28 and 44 were rejected under 35 U.S.C. §103 as being obvious in view of DiRienzo et al., Montagna et al. and Devine et al. Applicants traverse this rejection for several reasons. Claim 15 recites “querying the client computer to determine whether a spreadsheet appropriate for the type of insurance claim needs to be downloaded.” The Office Action has relied on the passage at column 11, line 30 to column 12, line 30 as presented previously in Section A.1 with respect to claim 1. The passage was previously used to show that DiRienzo et al. disclosed the recited “querying” process of claim 1. Based on the similarity of the recited “querying” processes recited in claims 1 and 15, the rejection of claim 15 is improper for reasons similar to those given above in Section A.1.

The rejection is improper for the additional reason that DiRienzo et al., Montagna et al. and Devine et al. do not suggest altering DiRienzo et al. to present a “client computer with an option to enter line item data regarding the claim through a web-based process or through a spreadsheet.” The Office Action has relied on three passages at column 5, lines 22-52, column 6, lines 4-55 and column 16, lines 39-67 of Devine et al. as presented previously in Section A.1 with respect to claim 1. The passages were previously used to show that Devine et al. disclosed the recited presenting a “client computer with an option to enter line item data regarding the claim through a web-based process or through a spreadsheet” process of claim 1. Based on the similarity of the recited “presenting” processes recited in claims 1 and 15, the rejection of claim 15 is improper for reasons similar to those given above in Section A.1.

The rejection of claim 4 is improper for the additional reason that DiRienzo et al. does not disclose validating a password and a claim number. As pointed out previously in Section A.1, DiRienzo et al.'s passage at column 18, lines 33-67 is silent as to any validation process regarding a password and a claim number. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to validate a password and a claim number, the rejection is improper and should be withdrawn.

The rejection of claim 18 is improper for the additional reason that DiRienzo et al. does not disclose issuing a fraud warning. As pointed out above in Section A.1 with respect to claim 5, DiRienzo et al.'s passage at column 5, lines 8-51 is silent as to issuing any fraud warning. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to issue a fraud warning, the rejection is improper and should be withdrawn.

The rejections of claims 23 and 24 are improper for the additional reason that DiRienzo et al. does not disclose 1) displaying an item tree of line item data based on a line level when the web-based process option is selected (claim 23) and tunneling through an item tree (claim 24). As pointed out previously in Section A.1 with respect to claims 9 and 10, DiRienzo et al.'s passage at column 16, lines 1-59 is silent as to any display of an item tree or tunneling through an item tree. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to display an item tree or tunnel through an item tree, the rejections are improper and should be withdrawn.

3. Claims 29-42 and 45

Claims 29-42 and 45 were rejected under 35 U.S.C. §103 as being obvious in view of DiRienzo et al., Montagna et al. and Devine et al. Applicants traverse this rejection for several

reasons. Claim 29 recites “querying the client computer to determine whether a spreadsheet appropriate for the type of insurance claim needs to be downloaded to the client computer.” The Office Action has relied on DiRienzo et al.’s passage at column 11, line 30 to column 12, line 30 as presented previously in Section A.1 with respect to claim 1. The passage was previously used to show that DiRienzo et al. disclosed the recited “querying” process of claim 1. Based on the similarity of the recited “querying” processes recited in claims 1 and 29, the rejection of claim 29 is improper for reasons similar to those given above in Section A.1.

The rejection is improper for the additional reason that DiRienzo et al., Montagna et al. and Devine et al. do not suggest altering DiRienzo et al. to present a “client computer with an option to enter line item data through a web-based process or through a spreadsheet.” The Office Action has relied on three passages at column 5, lines 22-52, column 6, lines 4-55 and column 16, lines 39-67 of Devine et al. as presented previously in Section A.1 with respect to claim 1. The passages were previously used to show that Devine et al. disclosed the recited presenting a “client computer with an option to enter line item data regarding the claim through a web-based process or through a spreadsheet” process of claim 1. Based on the similarity of the recited “presenting” processes recited in claims 1 and 29, the rejection of claim 29 is improper for reasons similar to those given above in Section A.1.

The rejection of claim 32 is improper for the additional reason that DiRienzo et al. does not disclose validating a password and a claim number. As pointed out previously in Section A.1 with respect to claim 4, DiRienzo et al.’s passage at column 18, lines 33-67 is silent as to any validation process regarding a password and a claim number. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to validate a password and a claim number, the rejection is improper and should be withdrawn.

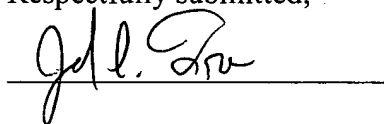
The rejection of claim 33 is improper for the additional reason that DiRienzo et al. does not disclose issuing a fraud warning. As pointed out above in Section A.1 with respect to claim 5, DiRienzo et al.'s passage at column 5, lines 8-51 is silent as to issuing any fraud warning. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to issue a fraud warning, the rejection is improper and should be withdrawn.

The rejections of claims 37 and 38 are improper for the additional reason that DiRienzo et al. does not disclose 1) displaying an item tree of line item data based on a line level when the web-based process option is selected (claim 37) and tunneling through an item tree (claim 38). As pointed out previously in Section A.1 with respect to claims 9 and 10, DiRienzo et al.'s passage at column 16, lines 1-59 is silent as to any display of an item tree or tunneling through an item tree. Since Montagna et al. and Devine et al. also fail to disclose or suggest altering DiRienzo et al. to display an item tree or tunnel through an item tree, the rejections are improper and should be withdrawn.

CONCLUSION

In view of the arguments above, Applicants respectfully submit that all of the pending claims 1-45 are in condition for allowance and seek an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John C. Freeman", is written over a horizontal line.

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